

AF  
SLW

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief – Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 21, 2005

PATENT

By

*Elizabeth J. Deland*

Attorney Docket No. SIC-00-004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

KAZUHIRO FUJII

Application No.: 09/766,696

Filed: January 19, 2001

For: BRACKET ASSEMBLY FOR A  
MOTOR CONTROLLED BICYCLE  
TRANSMISSION

) Examiner: Anne Marie M. Boehler

) Art Unit: 3611

) TRANSMITTAL LETTER

Mail Stop Appeal Brief – Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

Transmitted herewith are three copies of a reply brief for the above-captioned matter.

Respectfully submitted,

*James A. Deland*

James A. Deland  
Reg. No. 31,242

**CUSTOMER NO.: 29863**  
DELAND LAW OFFICE  
P.O. Box 69  
Klamath River, CA 96050-0069  
(530) 465-2430

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Commissioner for Patents,  
Washington, D.C. 20231, on October 21, 2005

PATENT

Attorney Docket No. SIC-00-004

By

Jan P. Nelson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:

KAZUHIRO FUJII

Application No.: 09/766,696

Filed: January 19, 2001

For: BRACKET ASSEMBLY FOR A  
MOTOR CONTROLLED BICYCLE  
TRANSMISSION

Examiner: Anne Marie M. Boehler

Art Unit: 3611

REPLY BRIEF

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

This is a reply to the Examiner's Answer dated September 13, 2005.

The Examiner's answer maintains that neither a significant amount of additional cable nor greater complexity or exposure of cable will be required if Ethington's automatic shift actuation unit is positioned on the chain stay. However, the proposed modification requires at least a doubling of total cable. Not only are there the existing cables (56) and (58) from the respective shift levers (46) and (52), but there will be the additional cables (66) and (68) connected to the tips of the shift levers (46) and (52). Cable (68), connected to the rear shift lever (52), will be approximately the same length as existing cable (58), thus approximately doubling the length of cable to service the rear derailleur. However, cable (66), connected to the front shift lever (46) will be *longer* than existing cable (56) because power unit (50) is now placed *behind* the front derailleur (36), thus more than doubling the length of cable to service the front derailleur. Also, cables (66) and (68) now run straight from levers (46) and (52) to the chain stay, thus being located exactly in the region of the pedal crank (22) where they can be repetitively struck by the rider's feet.

As for the ability of removing the control device as a unit, it is true that Ethington need not teach a control unit of any kind. However, since Ethington *does* disclose a control unit, and since Ethington's bracket base is not capable of supporting the disclosed control unit such that the control unit can be removed as a unit, Ethington neither discloses nor suggests this claimed feature.


As for the comments related to claim 66, a support for a control device is part of the control device. Indeed, when Ethington refers to his power unit (50), he includes the housing, even though the housing itself powers nothing.

As for claims 3-5, no motivation was stated for modifying Ethington's bracket supports to have the configuration of Chappel's frame connecting arms (42).

As for claim 8, there is no disclosure or suggestion of such a mounting hole on the upper surface of the bracket base in the prior art, and the Examiner's Answer does not address it.

As for claim 14, conventional fasteners employ separate nuts and bolts. There is no disclosure or suggestion to form a threaded opening in the bracket support.

Respectfully submitted,



James A. Deland  
Reg. No. 31,242

DELAND LAW OFFICE  
P.O. Box 69  
Klamath River, California 94583  
530-465-2430